

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PHILIP J. TAVERNA,**  
**Plaintiff,**

**v.**

**PALMER TOWNSHIP, *et al.*,**  
**Defendants.**

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**Case No. 5:20-cv-0812-JDW**

**ORDER**

**AND NOW**, this 30th day of December, 2020, for the reasons stated in the accompanying Memorandum, it is **ORDERED** as follows:

1. The Motion For Judgment On The Pleadings Pursuant To Fed. R. Civ. P. 12(c) Filed On Behalf Of Defendant, Palmer Township (ECF No. 48), which the Court has treated as a summary judgment motion pursuant to its Order dated September 29, 2020 (ECF No. 50) is **GRANTED**;

2. Defendant Tuskes Homes, Inc.'s Motion For Summary Judgment Against Plaintiff's Complaint Pursuant To Federal Rule Of Civil Procedure 56 (ECF No. 56) is **GRANTED**;

3. Plaintiff Philip Taverna's Motion For To Amend Complaint [sic] (ECF No. 62) and Petition To Amend (ECF No. 63) are **DENIED**; and

4. The Motion To Dismiss Cross-Claim Of Defendant, Tuskes Homes Inc., Pursuant To Fed. R. Civ. P. 12(b)(6) Filed On Behalf Of Defendant, Palmer Township (ECF No. 54) is **DENIED** as **MOOT**.

The Clerk of Court shall mark this case closed for statistical purposes.

**BY THE COURT:**

/s/ Joshua D. Wolson

**JOSHUA D. WOLSON, J.**